

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Thursday 18th August, 2022

No. 327

Government of Sikkim
Animal Husbandry and Veterinary Services Department
Krishi Bhawan, Deorali, Gangtok, Sikkim – 737102

No. 17/AH&VS/ADM/2022-23

Date: 18.08.2022

NOTIFICATION

In exercise of the power conferred by section 3 of Sikkim Fisheries Act 1980 (3 of 1980), the Governor of Sikkim hereby makes the following rules further to amend the Sikkim Fisheries Rules, 1990, namely:-

- Short title, extent and commencement**
1. (1) These rules may be called the Sikkim Fisheries (First Amendment) Rules, 2022.
 - (2) They shall extend to the whole of Sikkim.
 - (3) They shall come into force from the date of their publication in official gazette.
- Amendment in Rule 2 (c)**
2. In the Sikkim Fisheries Rules, 1990, (hereinafter referred to as the "said rules", in rule 2 (c) against the existing entries the following new entries shall be substituted, namely,
"head of department" means the Secretary Animal Husbandry & Veterinary Services Department, who is the Secretary in-charge of Animal Husbandry, Fisheries and Veterinary Services.
- Amendment in Rule 3**
3. In the said rules, in rule 3, against the entries vide sl. no. (i) to (viii) the following shall be substituted, namely
 - (i) Director;
 - (ii) Additional Director;
 - (iii) Joint Director;
 - (iv) Deputy Director;
 - (v) Assistant Director;
 - (vi) Range Officer;
 - (vii) Block Officer;
 - (viii) Head Fisheries Guard;
 - (ix) Fisheries Guard; and
 - (x) Assistant Fisheries Guard.

**Amendment in
Rule 6**

4. In the said rules, in sub-rule 4 of Rule 6, for the figure "Three Rupees", the figure "One Hundred Rupees", shall be substituted.

**Amendment in
Rule 7**

5. In the said rules, in rule 7 for the existing entries, the following new entries shall be substituted, namely,
- (1) Prohibiting fishing by gun, spear, bow and arrow or like instruments:-Destruction or attempt to destroy fish by gun, spear, bow and arrow or like instruments, set of noose laid across stream or bar splashing in water shall be prohibited.
 - (2) Destruction or attempt to destroy fish by using dynamite or explosive substances, poison, lime, noxious materials and electricity in the water through the use of generators, UPS, etc shall be prohibited.
 - (3) Pollution of water by trade industrial or domestic effluents or dumping of muck/construction and demolition materials or any other method not defined in the schedule which may result in loss of aquatic life or its habitat either immediately or in the long run shall be prohibited.
 - (4) Construction of weirs, bunds and diversion of natural waters which may result in loss of aquatic life or its habitat either immediately or in the long run shall be prohibited.
 - (5) Misuse of river water for any commercial purpose which may result in loss of aquatic life or its habitat either immediately or in the long run shall be prohibited.

Any person/company/industry/unit found violating the provisions of Rule 7 shall be liable to pay the compensation amount compounded five times as damages caused to aquatic life and/or aquatic habitat after assessment of the damage by any fishery officer.

**Amendment in
Rule 9**

6. In the said rules, in rule 9 (b), for the entries "*Salmo gairdnerigairdner*" the entries "*Onchorynchus mykiss*" shall be substituted.

**Amendment in
Rule 10**

7. (i) In the said rules, in sub-rule 1 of Rule 10, for the existing entries, the following new entries shall be substituted, namely,
- Any person intending to conduct business of sale of fish (processed, preserved or fresh) or sale of live fish including fishes of ornamental value, sale of fish seed and sale of fish feed shall obtain a permit from the head of department or any person authorized by him, who shall prescribe the conditions to keep standard for sale and hygiene in the shop.
- (ii) In the said rules, in sub-rule 3 of Rule 10, for the word "ground", the word "found" shall be substituted;
 - (iii) In the said rules, in sub-rule 8 of Rule 10, for the word "Trout", the word "Brown Trout", shall be substituted;

(iii) After the sub-rule 8 of Rule 10, the following sub rules shall be inserted namely:-

(9) The importer of fish from outside the state shall pay supervision fees notified by the head of department from time to time”;

(10) No person shall import fish into the State for marketing without a valid pass issued by the Director of Fisheries or any other person empowered by him on his behalf”.

8. After the entries of sub rule 10 of rule 10 for the rule no. 10, 11, 12, 13 & 14 the following numbers shall be substituted 11, 12, 13, 14 & 15 respectively.

**Amendment in
Rule 11**

9. In the said rules, in rule 11, for the entries “any species of Tilapia”, the entries Thai Magur (*Clarias gariepinus*)” shall be substituted.

**Amendment in
Rule 13**

10. In the said rules, in Sub-Rule 2 of Rule 13, for the entries “Fisheries Circle”, the entries “Directorate of Fisheries” shall be substituted.

11. In the said rules, after rule 15, the following entries shall be inserted namely:-

16. Any Organizations / Institutions / Companies who intend to use fishes or fauna having fisheries value for any of their experimental or testing or display purpose shall take the permission from the Directorate of Fisheries with payment of prescribed fees”.

**Amendment of
Schedules**

12. In the said rules, for the existing schedule, the following new schedule shall be substituted, namely,

Sl. No.	Kind of water	Permitted fishing method	License valid for period	Jurisdiction	License fee(in Rs.)	Closed season
1	2	3	4	5	6	7
1	General Water	1. Rod & Line and Handline	Daily	Entire District	100 (for local) 200 (for domestic tourists) 300 (for foreigners)	1 st April to 30 th June
			Monthly	-do-	300	
			Yearly	-do-	3000	
		2. Cast Net	Daily	-do-	200 (for local) 300 (for domestic tourists) 400 (for foreigners)	
			Monthly	-do-	400	
			Yearly	-do-	4000	
2	Trout Water	1. Rod & Line and Handline	Daily	Streamwise	200 (for local) 300 (for domestic tourists) 500 (for foreigners)	1 st Nov. to 31 st March
			Weekly	-do-	1200	

Dr. P. Senthil Kumar, IFS
Secretary to the Government
Animal Husbandry and Veterinary Services Department